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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/194,796	12/01/1998	PETER JOHN HULME	S1022/8152	3615

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EXAMINER

ZIMMERMAN, BRIAN A

ART UNIT PAPER NUMBER

2635

DATE MAILED: 06/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/194,796

Applicant(s)

HULME, PETER JOHN

Examiner

Brian A Zimmerman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2002 and 29 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 23-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 23-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Status of Application

In response to the applicant's amendment received on 3/29/02. The examiner has considered the new presentation of claims and applicant arguments in view of the disclosure and the present state of the prior art. And it is the examiner's position that claims 1,23-41 remain unpatentable for the reasons set forth in this office action:

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 28 and 41 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, support could not be found for **receiving** the second control signal **from the broadcast medium in response to....**

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1,23-25,28,32,33,41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsurumoto (US 4817203) and Kwoh (5852478).

Tsurumoto shows a first apparatus 4, which receives signals from a first remote transmitter 8. The first apparatus also includes a memory 23, which stores control signals for a plurality of second apparatuses 5,6,7. In response to certain signals from the remote transmitter, the first apparatus transmits a converted control signal to one the second apparatuses.

In an analogous art Kwoh teaches the use of the broadcast medium to send signals to a first device that are then transmitted to the second device for control of the second device (second control signals). This assists the user in programming a VCR to record a program, and it would have been obvious to one of ordinary skill in the art at the time of the invention to have used such a feature in the Tsurumoto system to provide such a benefit.

Tsurumoto differs from the claimed invention since the first and second apparatuses claimed communicate via a wireless connection as opposed to a wired connection of Tsurumoto. However, it is well known in the art of communication that the use of wireless communication provides certain well-known advantages, for example; no need to run cables, and the ease of setting up communication "networks". Due to

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such a well known nature of converting wired communication to wireless communications, such would have been obvious to one of ordinary skill in the art at the time of the invention.

With regard to the limitation that there be a second remote controller "distinct" from the first remote controller. It is interpreted by the examiner that when the slide switch of the remote controller of Tsurumoto is in position A such a remote controller is not the same as the remote controller when the switch is in position B, and is therefore distinct. Furthermore, it is well known (not only in the art) to have OMR or (Original Manufacture Remote) that is packaged with a VCR, for example, such that each device would necessarily include it's own separate and distinct remote controller.

3. Claims 26,27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsurumoto and Kwoh as applied to claim 1 above, and further in view of Miyagawa (4989081).

In an analogous art, Miyagawa shows a system where a first apparatus is used to control a plurality of second apparatuses, and the plurality of second apparatuses include a sound system 16 and a home automation system 23. This permits the user to control as many systems/subsystems with one controller thus increasing the efficiency of the single remote control. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have used the home bus technique taught by Miyagawa in the Tsurumoto system in order to increase the usefulness of the remote control system.

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4. Claims 29,30,31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsurumoto and Kwoh as applied to claim 1 above, and further in view of Mills (6088355).

In an analogous art, Mills shows a cable decoder, which is generally associated with the image receiving circuit. This cable decoder of Mills is programmable. Mills can program the device using a smart card or signals received from the broadcast signal. See col. 11 lines 13-54 and col. 9 lines 9-40. The examiner is aware that there are many methods of programming command data into devices. Here Mills shows two that are used in the art of Television systems. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have used the programming technique taught by Mills in the Tsurumoto system in order to provide easy programming of the system.

5. Claims 34-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsurumoto and Kwoh as applied to claims 1 and 32 above, and further in view of Geiger (508534).

In an analogous art, Geiger shows a remote control system with first and second apparatuses, where the first apparatus sends control signals to the second apparatus in response to signals received from a remote controller. Geiger also shows a further remote controller, which can be used to control the first apparatus. This shows that each apparatus can have a dedicated remote controller in addition to the system's

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"universal" remote controller. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have used the multi-"remote controller" technique taught by Geiger in the Tsurumoto system in order to allow increased control of the remote control system.

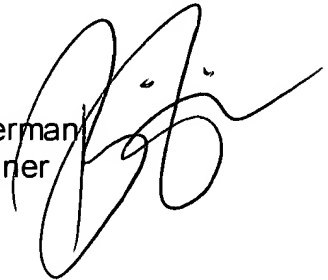
Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian A Zimmerman whose telephone number is 703-305-4796. The examiner can normally be reached on Off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Brian A Zimmerman
Primary Examiner
Art Unit 2635



BaZ
June 5, 2002